

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

| | |
|---|-----------------------|
| In re Terrorist Attacks on September 11, 2001 | 03 MDL 1570 (GBD)(SN) |
|---|-----------------------|

This document relates to:

Jessica DeRubbio, et al. v. Islamic Republic of Iran, No. 1:18-cv-05306 (GBD) (SN)
Audrey Ades, et al. v. Islamic Republic of Iran, No. 1:18-cv-07306 (GBD) (SN)
Chang Don Kim, et al. v. Islamic Republic of Iran, No. 1:18-cv-11870 (GBD) (SN)
Marinella Hemenway, et al. v. Islamic Republic of Iran, No. 1:18-cv-12277 (GBD) (SN)
Matthew Rowenhorst, et al. v. Islamic Republic of Iran, No. 1:18-cv-12387 (GBD) (SN)
BNY Mellon, et al. v. Islamic Republic of Iran, No. 1:19-cv-11767 (GBD) (SN)
Ber Barry Aron, et al. v. Islamic Republic of Iran, No. 1:20-cv-09376 (GBD) (SN)
Jeanmarie Hargrave, et al. v. Islamic Republic of Iran, No. 1:20-cv-09387 (GBD) (SN)
Paul Asaro, et al. v. Islamic Republic of Iran, No. 1:20-cv-10460 (GBD) (SN)
Michael Bianco, et al. v. Islamic Republic of Iran, No. 1:20-cv-10902 (GBD) (SN)

**[PROPOSED] ORDER OF PARTIAL FINAL DEFAULT JUDGMENTS IN THE
ABOVE-CAPTIONED MATTERS ON BEHALF OF THE PLAINTIFFS IDENTIFIED
IN EXHIBITS A AND EXHIBITS B**

Upon consideration of the evidence and arguments submitted by Plaintiffs identified in Exhibits A and Exhibits B to this Order, Plaintiffs in the above-captioned matters, who are each a spouse, parent, child, or sibling (or the estate of a spouse, parent, child, or sibling) of a victim killed in the terrorist attacks on September 11, 2001 as specifically identified in annexed Exhibits A-1 to A-9 (collectively, “Exhibits A”), or the estate of an individual who was killed in the terrorist attacks on September 11, 2001 as specifically identified in annexed Exhibits B-1 to B-7 (collectively, “Exhibits B”), and the judgment by default for liability only against Defendant Islamic Republic of Iran (“Iran”) entered or sought as follows:

| CASE NAME | CASE NO. | DATE MOTION FOR LIABILITY WAS FILED | ECF NO. FOR MOTION FOR LIABILITY THAT WAS FILED | DATE MOTION FOR LIABILITY WAS FILED | ECF NO. FOR MOTION FOR LIABILITY THAT WAS GRANTED |
|---|------------------------------|-------------------------------------|---|-------------------------------------|---|
| <i>Jessica DeRubbio, et al. v. Islamic Republic of Iran</i> | No. 1:18-cv-05306 (GBD) (SN) | 05/03/2019 | ECF No. 4508 | 05/28/2019 | ECF No. 4563 |
| <i>Marinella Hemenway, et al. v. Islamic Republic of Iran</i> | No. 1:18-cv-12277 (GBD) (SN) | 08/14/2019 | ECF No. 4856 | 09/03/2019 | ECF No. 5054 |
| <i>Matthew Rowenhorst, et al. v. Islamic Republic of Iran</i> | No. 1:18-cv-12387 (GBD) (SN) | 08/14/2019 | ECF No. 4860 | 09/03/2019 | ECF No. 5053 |
| <i>Chang Don Kim, et al. v. Islamic Republic of Iran</i> | No. 1:18-cv-11870 (GBD) (SN) | 08/14/2019 | ECF No. 4841 | 09/03/2019 | ECF No. 5049 |
| <i>Audrey Ades, et al. v. Islamic Republic of Iran</i> | No. 1:18-cv-07306 (GBD) (SN) | 05/23/2019 | ECF No. 4546 | 06/21/2019 | ECF No. 4594 |
| <i>BNY Mellon, et al. v. Islamic Republic of Iran</i> | No. 1:19-cv-11767 (GBD) (SN) | 11/12/2021 | ECF No. 7329 | 01/04/2022 | ECF No. 7522 |
| <i>Michael Bianco, et al. v. Islamic Republic of Iran</i> | No. 1:20-cv-10902 (GBD) (SN) | 11/12/2021 | ECF No. 7329 | 01/04/2022 | ECF No. 7522 |
| <i>Paul Asaro, et al. v. Islamic Republic of Iran</i> | No. 1:20-cv-10460 (GBD) | 11/12/2021 | ECF No. 7329 | 01/04/2022 | ECF No. 7522 |

| | (SN) | | | | |
|---|------------------------------|------------|--------------|------------|--------------|
| <i>Ber Barry Aron, et al. v. Islamic Republic of Iran</i> | No. 1:20-cv-09376 (GBD) (SN) | 11/12/2021 | ECF No. 7329 | 01/04/2022 | ECF No. 7522 |
| <i>Jeanmarie Hargrave, et al. v. Islamic Republic of Iran</i> | 1:20-cv-09387 (GBD) (SN) | 11/12/2021 | ECF No. 7329 | 01/04/2022 | ECF No. 7522 |

; together with the entire record in this case; IT IS HEREBY

ORDERED that service of process in the above-captioned matters was effected upon Iran in accordance with 28 U.S.C. § 1608(a) for sovereign defendants and 28 U.S.C. § 1608(b) for agencies and instrumentalities of sovereign defendants;¹ and it is further

ORDERED that partial final judgment is entered against Iran on behalf of the Plaintiffs in the above-captioned matters, as identified in the attached Exhibits A, who are each a spouse, parent, child, or sibling (or the estate of a spouse, parent, child, or sibling) of an individual killed in the terrorist attacks on September 11, 2001, as indicated in the attached Exhibits A; and it is further

further

ORDERED that Plaintiffs identified in the attached Exhibits A are awarded solatium damages of \$12,500,000 per spouse, \$8,500,000 per parent, \$8,500,000 per child, and \$4,250,000 per sibling, as set forth in the attached Exhibits A; and it is further

ORDERED that partial final judgment is entered against Iran on behalf of the Plaintiffs in the above-captioned matters, as identified in the attached Exhibits B, who are each the estate of a victim of the terrorist attacks on September 11, 2001, as indicated in the attached Exhibits B; and it is further

¹ This only applies for the plaintiffs in this motion in the above-referenced 2018 matters.

ORDERED that Plaintiffs identified in the attached Exhibits B are awarded compensatory damages for decedents' pain and suffering in an amount of \$2,000,000 per estate, as set forth in the attached Exhibits B; and it is further

ORDERED that the Plaintiff identified in the expert report submitted in support of the Declaration of Jerry S. Goldman, Esq. ("Goldman Declaration") (and identified in Exhibits B), is awarded economic damages as set forth in the attached Exhibits B and as supported by the expert report and analysis tendered in conjunction with the Goldman Declaration; and it is further

ORDERED that the Plaintiffs identified in the attached Exhibits A and Exhibits B are awarded prejudgment interest of 4.96 percent per annum, compounded annually, running from September 11, 2001 until the date of judgment; and it is further

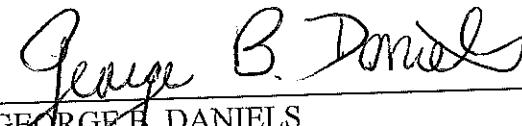
ORDERED that the Plaintiffs identified in the attached Exhibits A and Exhibits B may submit an application for punitive damages, economic damages, or other damages (to the extent such awards have not previously been ordered) at a later date consistent with any future rulings made by this Court on this issue; and it is further

ORDERED that the remaining Plaintiffs in the above-captioned matters not appearing in the attached Exhibits A and Exhibits B may submit in later stages applications for damages awards, and to the extent they are for solatium damages or by estates for compensatory damages or for decedents' pain and suffering from the September 11th attacks, they will be approved consistent with those approved herein for the Plaintiffs appearing in the attached Exhibits A and Exhibits B.

Furthermore, the Court respectfully directs the Clerk of the Court to terminate the motions at ECF No. 7571, Case No. 03-md-1570; ECF No. 203, Case No. 18-cv-05306; ECF No. 145, Case No. 18-cv-07306; ECF No. 150, Case No. 18-cv-11870; ECF No. 161, Case No. 18-cv-12277; ECF No. 152, Case No. 18-cv-12387; ECF No. 85, Case No. 19-cv-11767; ECF

No. 83, Case No. 20-cv-09376; ECF No. 78, Case No. 20-cv-09387; ECF No. 79, Case No. 20-cv-10460; ECF No. 67, Case No. 20-cv-10902.

SO ORDERED:



GEORGE B. DANIELS
United States District Judge

Dated: New York, New York

July 19 2022

EXHIBITS A

Ex. A-1
 Jessica DeRubbio, et al. v. Islamic Republic of Iran, No. 1:18-cv-05306 (GBD) (SN)

(Alphabetically by Last Name of 9/11 Decedent)

| | DECEDENT First Name | DECEDENT Middle Name | DECEDENT Last Name | PLAINTIFF First Name | PLAINTIFF Middle Name | PLAINTIFF Last Name | PLAINTIFF Suffix | Relationship to 9/11 Decedent | SOLATIUM DAMAGES AMOUNT |
|--------------|---------------------|----------------------|--------------------|----------------------|-----------------------|---------------------|------------------|-------------------------------|-------------------------|
| 1 | Julie | M. | Geis | Mary | | Buss | | Sibling | \$4,250,000.00 |
| 2 | Julie | M. | Geis | Betty | | Geis | | Parent (Deceased) | \$8,500,000.00 |
| TOTAL | | | | | | | | | \$12,750,000.00 |

Ex. A-2
 Audrey Ades, et al. v. Islamic Republic of Iran, No. 1:18-cv-07306 (GBD) (SN)

(Alphabetically by Last Name of 9/11 Decedent)

| DECEDENT First Name | DECEDENT Middle Name | DECEDENT Last Name | PLAINTIFF First Name | PLAINTIFF Middle Name | PLAINTIFF Last Name | PLAINTIFF Suffix | Relationship to 9/11 Decedent | SOLATIUM DAMAGES AMOUNT |
|---------------------|----------------------|--------------------|----------------------|-----------------------|---------------------|------------------|-------------------------------|-------------------------|
| 1. Alva | Cynthia | Jeffries Sanchez | Alfred | | Jeffries | Jr. | Sibling | \$4,250,000.00 |
| 2. Kevin | | Frawley | Theresa | M. | Conklin | | Parent (Deceased) | \$8,500,000.00 |
| TOTAL | | | | | | | | \$12,750,000.00 |

Ex. A-3

Chang Don Kim, et al. v. Islamic Republic of Iran, No. 1:18-cv-11870 (GBD) (SN)

(Alphabetically by Last Name of 9/11 Decedent)

| | DECEDENT First Name | DECEDENT Middle Name | DECEDENT Last Name | PLAINTIFF First Name | PLAINTIFF Middle Name | PLAINTIFF Last Name | PLAINTIFF Suffix | Relationship to 9/11 Decedent | SOLATIUM DAMAGES AMOUNT |
|--------------|---------------------|----------------------|--------------------|----------------------|-----------------------|---------------------|------------------|-------------------------------|-------------------------|
| 1. | Catherine | K. | Fagan | Jeffrey | | Fagan | | Child | \$8,500,000.00 |
| 2. | Catherine | K. | Fagan | James | | Fagan | | Child | \$8,500,000.00 |
| TOTAL | | | | | | | | | \$17,000,000.00 |

Ex. A-4
 Marinella Hemenway, et al. v. Islamic Republic of Iran, No. 1:18-cv-12277 (GBD) (SN)

(Alphabetically by Last Name of 9/11 Decedent)

| | DECEDENT First Name | DECEDENT Middle Name | DECEDENT Last Name | PLAINTIFF First Name | PLAINTIFF Middle Name | PLAINTIFF Last Name | PLAINTIFF Suffix | Relationship to 9/11 Decedent | SOLITIUM DAMAGES AMOUNT |
|----|---------------------|----------------------|--------------------|----------------------|-----------------------|---------------------|------------------|-------------------------------|-------------------------|
| 1. | William | A. | Mathesen | Kathleen | | Mathesen | | Spouse | \$12,500,000.00 |
| 2. | William | A. | Mathesen | Emily | | Mathesen | | Child | \$8,500,000.00 |
| 3. | Nurul | | Miah | Rokshana | | Miah | | Sibling | \$4,250,000.00 |
| 4. | Nurul | | Miah | Nur | M. | Miah | | Sibling | \$4,250,000.00 |
| 5. | Peter | Allen | Nelson | Iris | | Nelson | | Spouse (Deceased) | \$12,500,000.00 |
| 6. | Peter | Allen | Nelson | Jamie | Lee | Nelson | | Child | \$8,500,000.00 |
| 7. | Peter | Allen | Nelson | Lyndsi | Ann | Nelson | | Child | \$8,500,000.00 |
| | | | | | | | | | \$59,000,000.00 |
| | | | | | | | | | TOTAL |

Ex. A-5

Matthew Rowenhorst, et al. v. Islamic Republic of Iran, No. 1:18-cv-12387 (GBD) (SN)

(Alphabetically by Last Name of 9/11 Decedent)

| | DECEDENT First Name | DECEDENT Middle Name | DECEDENT Last Name | PLAINTIFF First Name | PLAINTIFF Middle Name | PLAINTIFF Last Name | PLAINTIFF Suffix | Relationship to 9/11 Decedent | SOLATIUM DAMAGES AMOUNT |
|-------|---------------------|----------------------|--------------------|----------------------|-----------------------|---------------------|------------------|-------------------------------|-------------------------|
| 1. | Edward | Veld | Rowenhorst | Daniel | | Rowenhorst | | Sibling | \$4,250,000.00 |
| 2. | Edward | Veld | Rowenhorst | Robin | Marie | Davis | | Sibling | \$4,250,000.00 |
| 3. | Michael | | Russo | Theresa | | Russo-Kempf | | Spouse | \$12,500,000.00 |
| 4. | Michael | | Russo | Michael | Thomas | Russo | Jr. | Child | \$8,500,000.00 |
| | | | | | | | | | \$29,500,000.00 |
| TOTAL | | | | | | | | | |

Ex. A-6
 Ber Barry Aron, et al. v. Islamic Republic of Iran, No. 1:20-cv-09376 (GBD) (SN)

(Alphabetically by Last Name of 9/11 Decedent)

| | DECEDENT First Name | DECEDENT Middle Name | DECEDENT Last Name | PLAINTIFF First Name | PLAINTIFF Middle Name | PLAINTIFF Last Name | PLAINTIFF Suffix | Relationship to 9/11 Decedent | SOLATIUM DAMAGES AMOUNT |
|--------------|---------------------|----------------------|--------------------|----------------------|-----------------------|---------------------|------------------|-------------------------------|-------------------------|
| 1. | Calvin | | Dawson | Charles | | Dawson | | Sibling | \$4,250,000.00 |
| 2. | Carl | Martin | Flickinger | Louise | | Flickinger | | Parent (Deceased) | \$8,500,000.00 |
| TOTAL | | | | | | | | | \$12,750,000.00 |

Ex. A-7
 Jeanmarie Hargrave, et al. v. Islamic Republic of Iran, No. 1:20-cv-09387 (GBD) (SN)

(Alphabetically by Last Name of 9/11 Decedent)

| | DECEDENT First Name | DECEDENT Middle Name | DECEDENT Last Name | PLAINTIFF First Name | PLAINTIFF Middle Name | PLAINTIFF Last Name | PLAINTIFF Suffix | Relationship to 9/11 Decedent | SOLATIUM DAMAGES AMOUNT |
|--------------|---------------------|----------------------|--------------------|----------------------|-----------------------|---------------------|------------------|-------------------------------|-------------------------|
| 1. | William | Edward | Micciulli | Colleen | | Micciulli-Foley | | Spouse | \$12,500,000.00 |
| 2. | William | Edward | Micciulli | Emily | | Micciulli | | Child | \$8,500,000.00 |
| 3. | William | Edward | Micciulli | Sara | | Micciulli | | Child | \$8,500,000.00 |
| TOTAL | | | | | | | | | \$29,500,000.00 |

Ex. A-8

Paul Asaro, et al. v. Islamic Republic of Iran, No. 1:20-cv-10460 (GBD) (SN)

(Alphabetically by Last Name of 9/11 Decedent)

| DECEDENT First Name | DECEDENT Middle Name | DECEDENT Last Name | PLAINTIFF First Name | PLAINTIFF Middle Name | PLAINTIFF Last Name | PLAINTIFF Suffix | Relationship to 9/11 Decedent | SOLATIUM DAMAGES AMOUNT |
|---------------------|----------------------|--------------------|----------------------|-----------------------|---------------------|------------------|-------------------------------|-------------------------|
| | | | | | | | | |
| 1. Khamladai | Khami | Singh | Roshan | Ramesh | Singh | | Sibling (Deceased) | \$4,250,000.00 |
| 2. Roshan | Ramesh | Singh | Khamladai | Khami | Singh | | Sibling (Deceased) | \$4,250,000.00 |
| TOTAL | | | | | | | | \$8,500,000.00 |

Ex. A-9

Michael Bianco, et al. v. Islamic Republic of Iran, No. 1:20-cv-10902 (GBD) (SN)

(Alphabetically by Last Name of 9/11 Decedent)

| | DECEDENT First Name | DECEDENT Middle Name | DECEDENT Last Name | PLAINTIFF First Name | PLAINTIFF Middle Name | PLAINTIFF Last Name | PLAINTIFF Suffix | Relationship to 9/11 Decedent | SOLATIUM DAMAGES AMOUNT |
|-----------------------|---------------------|----------------------|--------------------|----------------------|-----------------------|---------------------|------------------|-------------------------------|-------------------------|
| 1. | Catherine | K. | Fagan | Dorothy | | Swick | | Sibling | \$4,250,000.00 |
| TOTAL | | | | | | | | | |
| \$4,250,000.00 | | | | | | | | | |

EXHIBITS B

Ex. B-1
Chang Don Kim, et al. v. Islamic Republic of Iran, No. 1:18-cv-11870 (GBD) (SN)

(Alphabetically by Last Name of 9/11 Decedent)

| | DECEDENT First Name | DECEDENT Middle Name | DECEDENT Last Name | Suffix Name | Economic Damage Amount | Non-Economic Damage Amount | TOTAL Damage Amount |
|---------------|---------------------|----------------------|--------------------|-------------|------------------------|----------------------------|---------------------|
| 1. | Lawrence | Don | Kim | | \$2,876,924.00 | \$2,000,000.00 | \$4,876,924.00 |
| TOTALS | | | | | | | |

Ex. B-2
Marinella Hemenway, et al. v. Islamic Republic of Iran, No. 1:18-cv-12277 (GBD) (SN))

(Alphabetically by Last Name of 9/11 Decedent)

| | DECEDENT First Name | DECEDENT Middle Name | DECEDENT Last Name | Suffix Name | Economic Damage Amount | Non-Economic Damage Amount | TOTAL Damage Amount |
|---------------|---------------------|----------------------|--------------------|-------------|------------------------|----------------------------|-----------------------|
| 1. | William | A. | Mathesen | | | \$2,000,000.00 | \$2,000,000.00 |
| 2. | Peter | A. | Nelson | | | \$2,000,000.00 | \$2,000,000.00 |
| TOTALS | | | | | | \$4,000,000.00 | \$4,000,000.00 |

Ex. B-3

Matthew Rowerhorst, et al. v. Islamic Republic of Iran, No. 1:18-cv-12387 (GBD) (SN)

(Alphabetically by Last Name of 9/11 Decedent)

| | DECEDENT First Name | DECEDENT Middle Name | DECEDENT Last Name | Suffix Name | Economic Damage Amount | Non-Economic Damage Amount | TOTAL Damage Amount |
|---------------|---------------------|----------------------|--------------------|-------------|------------------------|----------------------------|---------------------|
| 1. | Michael | | Russo | | | \$2,000,000.00 | \$2,000,000.00 |
| TOTALS | | | | | | | \$2,000,000.00 |

(Alphabetically by Last Name of 9/11 Decedent)

| DECEDENT First Name | DECEDENT Middle Name | DECEDENT Last Name | Suffix Name | Economic Damage Amount | Non-Economic Damage Amount | TOTAL Damage Amount |
|---------------------|----------------------|--------------------|-------------|------------------------|----------------------------|---------------------|
| 1. Janice | Juloise | Brown | | | \$2,000,000.00 | \$2,000,000.00 |

TOTALS

Ex. B-5

Jeanmarie Hargrave, et al. v. Islamic Republic of Iran, No. 1:20-cv-09387 (GBD) (SN)

(Alphabetically by Last Name of 9/11 Decedent)

| | DECEDENT First Name | DECEDENT Middle Name | DECEDENT Last Name | Suffix Name | Economic Damage Amount | Non-Economic Damage Amount | TOTAL Damage Amount |
|---------------|---------------------|----------------------|--------------------|-------------|------------------------|----------------------------|---------------------|
| 1. | William | Edward | Miccilli | | | \$2,000,000.00 | \$2,000,000.00 |
| TOTALS | | | | | | \$2,000,000.00 | \$2,000,000.00 |

Ex. B-6

Paul Asaro, et al. v. Islamic Republic of Iran, No. 1:20-cv-10460 (GBD) (SN)

(Alphabetically by Last Name of 9/11 Decedent)

| DECEDENT First Name | DECEDENT Middle Name | DECEDENT Last Name | Suffix Name | Economic Damage Amount | Non-Economic Damage Amount | TOTAL Damage Amount |
|---------------------|----------------------|--------------------|-------------|------------------------|----------------------------|---------------------|
| 1. Khamladai | Khami | | Singh | | \$2,000,000.00 | \$2,000,000.00 |
| 2. Roshan | Ramesh | | Singh | | \$2,000,000.00 | \$2,000,000.00 |

TOTALS

\$4,000,000.00

\$4,000,000.00

Ex. B-7

Michael Bianco, et al. v. Islamic Republic of Iran, No. 1:20-cv-10902 (GBD) (SN)

(Alphabetically by Last Name of 9/11 Decedent)

| | DECEDENT First Name | DECEDENT Middle Name | DECEDENT Last Name | Suffix Name | Economic Damage Amount | Non-Economic Damage Amount | TOTAL Damage Amount |
|---------------|------------------------|----------------------------|-----------------------|----------------|---------------------------|----------------------------------|------------------------|
| 1. | Eileen | | Flecha | | | \$2,000,000.00 | \$2,000,000.00 |
| TOTALS | | | | | | \$2,000,000.00 | \$2,000,000.00 |